

## Article - Labor and Employment

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§3–1505.

(a) If the Commissioner determines that an employer has violated any provision of this subtitle, the Commissioner:

(1) shall issue an order compelling compliance; and

(2) for a subsequent violation, may, in the Commissioner's discretion, assess a civil penalty of up to \$300 for each applicant for employment or employee with respect to whom the employer violated any provision of this subtitle.

(b) In determining the amount of the penalty, if assessed, the Commissioner shall consider:

(1) the gravity of the violation;

(2) the size of the employer's business;

(3) the employer's good faith; and

(4) the employer's history of violations under this subtitle.

(c) The assessment of a penalty under subsection (a)(2) of this section shall be subject to the notice and hearing requirements of Title 10, Subtitle 2 of the State Government Article.

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